AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Canceled)
2. (Canceled)
3. (Canceled)
4. (Canceled)
5. (Canceled)
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19. (Canceled)
20. (Canceled)
21. (Canceled)
22. (Canceled)
23. (Canceled)
24. (Canceled)
25. (Canceled)
26. (Canceled)
27. (Canceled)
28. (Canceled)
29. (Canceled)
30. (Canceled)
31. (Canceled)
32. (Canceled)

33. (New) An audio decoder for decoding an encoded audio signal comprising an encoded noise signal in an upper frequency band, said decoder comprising:

filter means and excitation means for generating an excitation signal for being passed by said filter means to produce a synthesized audio signal, said excitation means being operable to generate an excitation signal which includes a substantial component of synthesized noise in the upper frequency band.

34. (New) An audio decoder as claimed in claim 33, wherein said excitation signal comprises a mixture of a synthesized noise component and a further component corresponding to one or more harmonics of a lower frequency band of the audio signal.

35. (New) A method of decoding an encoded audio signal comprising an encoded noise signal in an upper frequency band, the method comprising the steps of:

providing an excitation signal which includes a substantial component of synthesized noise in the upper frequency band; and

passing said excitation signal through a filter means to produce a synthesized audio signal.

36. (New) A method of decoding an encoded audio signal as claimed in claim 35, wherein said excitation signal comprises a mixture of a synthesized noise component and a further component corresponding to one or more harmonics of a lower frequency band of the audio signal.